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MAY 07 2004

May 3, 2004

Our Docket No. 980457.ORI

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Re App : Rodney W. Salo et al.  
S.N. : 09/545,536 : Art Unit 3762  
Filed : April 7, 2000 : Examiner Mark Bockelman  
For : CARDIAC RHYTHM MANAGEMENT  
SYSTEM WITH OPTIMIZATION OF  
CARDIAC PERFORMANCE USING HEART RATE  
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Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

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TECHNOLOGY CENTER R3700

Sir:

Transmitted herewith in the above-entitled patent application, please find an Amendment in response to the Official Action of January 12, 2004, along with a Petition for Extension of Time of one month.

A check in the amount of \$110.00 is enclosed to cover the Extension fee.

The Commissioner is hereby authorized to charge any additional fees which may be required by this paper to Deposit Account No. 08-1265.

Yours very truly,

NIKOLAI & MERSEREAU, P.A.

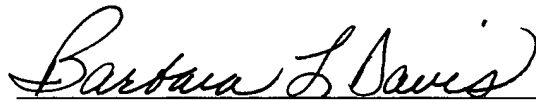
*C. G. Mersereau*

C. G. Mersereau

CGM/bld  
Enclosures

CERTIFICATE OF MAILING

I hereby certify that the foregoing Amendment, Transmittal Letter, Petition for a 1-month extension of time and a check in the amount of \$110.00 in application Serial No. 09/545,536, filed on April 7, 2000, of Rodney W. Salo et al., entitled "CARDIAC RHYTHM MANAGEMENT SYSTEM WITH OPTIMIZATION OF CARDIAC PERFORMANCE USING HEART RATE" is being deposited with the U.S. Postal Service as First Class mail in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, postage prepaid, on May 4, 2004.

A handwritten signature in cursive script, reading "Barbara L. Davis", written over a horizontal line.

Barbara L. Davis  
Secretary to C. G. Mersereau

Date of Signature: May 4, 2004